

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Appln. No. 09/909,988
Attorney Docket No.: Q64671

REMARKS

Claims 1, 3, 7, 8, 10, and 23-26 are all the claims pending in the application.

According to the Advisory Action mailed May 10, 2006, the Amendment under 37 C.F.R. § 1.116 filed on April 25, 2006 has not been entered. Applicant does not request entry of this previously filed Amendment. Instead, Applicant is respectfully requesting entry of the amendments to claims 1 and 10 as set forth above. Claims 1 and 10 are amended to further clarify the invention.

Status of the Claims

Claims 25 and 26 are allowed. Claims 1, 3, 7, 8, 10, 23, and 24 stand rejected under 35 U.S.C. § 103(a).

Statement of Substance of Interview and Prior Art Rejections

Applicant thanks the Examiner for the courteous telephonic interviews on May 18, 2006. During the interview with the Examiner Jason D. Prone, Applicant's representative and the Examiner discussed proposed amendments to claims 1 and 10 to overcome the rejections of record. The Examiner did agree that amending claims 1 and 10 to recite that "the receiving element is vertically coplanar with the movable blade" would overcome the rejections of record. That is, the prior art of record fails to disclose or suggest the receiving element being vertically coplanar with the movable blade. Kiyohara's receiving roller 64 is positioned on the downstream side of cutter blade 42 in the delivery direction (Fig. 6). That is, Kiyohara does not disclose or suggest the receiving element being vertically coplanar with the movable blade. Wakai and Saito fail to cure the deficient teachings of Kiyohara.

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For at least this exemplary reason, claims 1 and 10 are patentable over the combined teachings of Wakai, Kiyohara, and Saito. Claims 3, 7, 8, 23, and 24 are patentable at least by virtue of their dependency on claims 1 and 10.

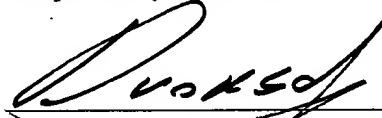
Conclusion

Entry and consideration of this Amendment is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Nataliya Dverson
Registration No. 36,616

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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